



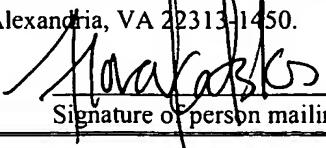
PATENT  
ATTORNEY DOCKET NO. 00786/435003

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I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Flora Katsikis

Printed name of person mailing correspondence

  
Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rahme et al. Confirmation No.: 7444

Serial No.: 10/660,811 Art Unit: 1645

Filed: September 12, 2003 Examiner: P. Duffy

Customer No.: 21559

Title: VIRULENCE-ASSOCIATED NUCLEIC ACIDS AND PROTEINS AND USES THEREOF

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REPLY TO RESTRICTION REQUIREMENT

In reply to the Restriction Requirement that was mailed in connection with the above-captioned case on June 2, 2006, applicants elect the invention of groups 117-233, claims 15-22, 25, and 26, drawn to polypeptides.

Applicants further elect the specific combination of polypeptides including RL038 (SEQ ID NO: 141); RL039 (SEQ ID NO:142); RL040 (SEQ ID NO:143); RL041 (SEQ ID NO:144); RL042 (SEQ ID NO:145); RL043 (SEQ ID NO:146); and RL044 (SEQ ID NO:147). Applicants believe that this is a proper combination of sequences for election

because a search involving these seven sequences would not place a serious burden on the Examiner and is consistent with the policy of the Commissioner in partially waiving the requirements of 35 U.S.C. § 121 to allow a reasonable number of sequences to be searched in a single application, which is normally ten. M.P.E.P. § 803.04. This election is made without traverse.

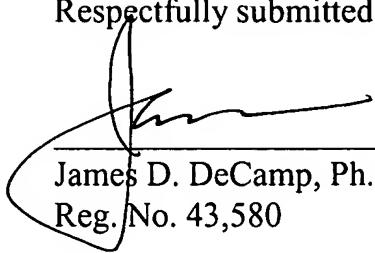
To the extent the Office disagrees with applicants' position and requires fewer polypeptide sequences for search purposes, applicants elect RL038 (SEQ ID NO:141) and RL039 (SEQ ID NO:142). This election is made with traverse, because examination of seven sequences in this application would not be unduly burdensome, as discussed above.

Should the Office require only a single sequence for search purposes, applicants elect RL038 (SEQ ID NO:141). This election is also made with traverse, as examination of either two or seven sequences would not be unduly burdensome, as discussed above.

Enclosed is a Petition to extend the period for replying to the Restriction Requirement for three (3) months, to and including October 2, 2006, and a check in payment of the required extension fee. If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: 2 - October - 2006

  
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